

REMARKS

These remarks are responsive to the Office Action mailed April 14, 2005 (hereinafter, the "Office Action"), having a shortened statutory period for response that expires today, July 14, 2005. Claims 1-6 are pending, of which Claims 1 and 4 are independent. The Office Action rejects all of the pending claims under 35 U.S.C. 102(b) as being anticipated by United States patent number 5,351,245 issued to Pregont et al.

As recited in each of the independent claims 1 and 4, a communication method (or apparatus determines (or includes a means for determining) "a number of radio frames of a fixed duration on a physical channel in accordance with a transmission rate of the physical channel, the radio frames constituting a unit by which processing of a logical channel is carried out", maps (or includes a means for mapping) "the logical channel into the physical channel", and transmits (or includes a means for transmitting) "a signal of the logical channel over the physical channel".

In examples of Figures 13A-13C of the present application, a number of radio frames of a fixed duration on a physical channel which constitute a unit by which processing of a logical channel is carried out is determined in accordance with a transmission rate of the physical channel. In this case, the "unit" is an ACCH unit. As shown in Figure 13A, when the transmission rate of the physical channel is 32 or 64 ksps, the number of radio frames mapped to a single ACCH unit is 4. As shown in Figure 13B, when the transmission rate of the physical channel is 128 ksps, the number of radio frames mapped to a single ACCH unit is 2. As shown in Figure 13C, when the transmission rate of the physical channel is 256 ksps, the number of radio frames mapped to a single ACCH unit is 1.

The Office Action alleges that Figure 2 and column 2, line 56 to column 3, line 59 of Pregont describe that RCH (i.e., a logical channel) is given 4 frames at the full transmission rate

of the physical channel and 2 frames at the half transmission rate (page 2, lines 19-21 of the office action).

However, Pregont does not disclose that a number of radio frames of a physical channel which constitute a single unit of a logical channel, is determined in accordance with the transmission rate. In other words, Pregont does not disclose that a number of radio frames of a physical channel (which are to be mapped to a single unit of a logical channel) can be changed when the transmission rates differ, as is the case with embodiments of the present invention.

In Pregont, in the case of the full rate, as shown in Figure 2(A), 4 radio frames are secured for two RCH units 205, 206 in a single superframe. Therefore, 2 radio frames are mapped to a single RCH unit. That is, in Pregont et al., what corresponds to the recited "unit by which processing of a logical channel is carried out" is a single RCH unit.

Meanwhile, in the case of the half rate, as described in column 3, lines 32-35, since every other frame that would be used on the full rate is used, a single superframe has 18 radio frames which are half the radio frames of the full rate. As shown in Figure 2(B), 2 radio frames are secured for a single RCH unit in a single superframe. Therefore, as a result, 2 radio frames which are the same number of radio frames mapped to a single RCH unit in the full rate, are mapped to a single RCH unit.

In this way, in Pregont, even if the transmission rates differ, a number of radio frames of a physical channel which are mapped to a single unit of a logical channel is not changed. Thus, Pregont does not disclose nor suggest the above-mentioned feature of the present invention of claims 1 and 4, i. e. the feature that a number of radio frames of a fixed duration on physical channel which constitute a unit by which processing of a logical channel is carried out is determined in accordance with a transmission rate of the physical channel.

Therefore, Claims 1 and 4 are not anticipated by Pregont. Claims 2, 3, 5 and 6 depend from a corresponding independent Claims 1 or 4, and thus are not anticipated by Pregont for at least the reasons provided for their respective independent Claim 1 or 4. Therefore, the applicants respectfully request withdrawal of the 35 U.S.C. 102(b) rejection.

In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney.

Dated this 14th day of July, 2005.

Respectfully submitted,



ADRIAN J. LEE
Registration No. 42,785
Attorney for Applicant
Customer No. 022913

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